

REMARKS

This is a full and timely response to the outstanding nonfinal Office Action mailed April 11, 2007. Applicants have amended claims 1-9 and added a new claim 14. No new matter has been entered thereby. Applicants have also amended the specification and submitted replacement drawing sheets. Reconsideration and allowance of the application and presently pending claims 1-9 and 14 as are respectfully requested.

Currently, claim 1-5 are generic and claim 6 is withdrawn from consideration. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Drawings

In the current Office Action, the drawings are objected to because the images are believed unclear.

In response thereto, Applicants have submitted replacement drawing sheets. Applicants submit that the drawings in their current forms are clear and allowable.

Specification

Applicants have amended the title according to the suggestion in the Office action. Applicants also amended the specification (page 2, second paragraph).

Claim Objections

Claims 1-5 and 7-9 were objected to because of informalities as indicated by the Examiner.

In response thereto, Applicants have amended claims 1-5 and 7-9 as suggested by the Examiner. As such, Applicants submit that claims 1-5 and 7-9 are now in allowable forms.

Discussion of Office Action Rejections

The Office Action rejected claims 1-5 and 7-9 under 35 U.S.C. 112, 2nd paragraph as being indefinite.

In response to the rejection thereto, Applicants have amended claims 1-5 and 7-9, and hereby submit claims 1-5 and 7-9 are now in allowable forms.

The Office Action rejected claims 1-3 and 7 under 35 U.S.C. 102(b) as being anticipated by Ho et al. (US patent No. 5,466,443).

In response thereto, Applicants have amended claims 1-3 and 7, and hereby otherwise traverse these rejections and submit that claims 1-3 and 7 are novel and unobvious over Ho et al., or any of the other cited references, taken alone or in combination, and thus should also be allowed.

Claim 1, as currently amended, recites: A tea for treating dermatitis, comprising: extracts obtained from lightyellow sophora root (*sophora flavescens ait.*), and *isatis leaf (isatis tinctoria L.)*.

Applicants submit that Ho et al. fail to teach “*isatis leaf (isatis tinctoria L.)*”.

Applicants note that the Examiner has interpreted “*Indigo naturalis*” provided by Ho et al.

as synonymous with isatis leaf. Applicants submit that this is incorrect. In herbal medicine art, isatis leaf as shown in the left photograph below is different from indigo naturalis which is the dried powder or mass prepared from the leaf or the stem and leaf of Baphicacanthus cusia (Ness) Bremek. (Fam. Acanthaceae), polygonum thincctorium Ait. (Fam. polygonaceae) or Isatis indigotica Fort. (Fam. Cruciferae).as shown in the right photograph cited below.



Further, as currently amended, the claimed invention requires ingredients of “lightyellow sophora root (sophora flavescens ait.) and isatis leaf (isatis tinctoria L.), each of which should be taught in a single reference for anticipation rejection.

Because Ho et al. fail to teach isatis leaf, the present invention as set forth in claim 1, is submitted to be allowable over Ho et al., and thus should be allowable.

Claims 2, 3, and 7 depend on allowable independent claim 1, and thus should be also be allowable.

New Claim

Claim 14 is newly added, indirectly depending upon allowable claim 1, and thus should also be allowable.

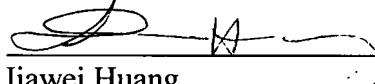
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-9 and 14 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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Replacement Sheet

FIG.1

(A)

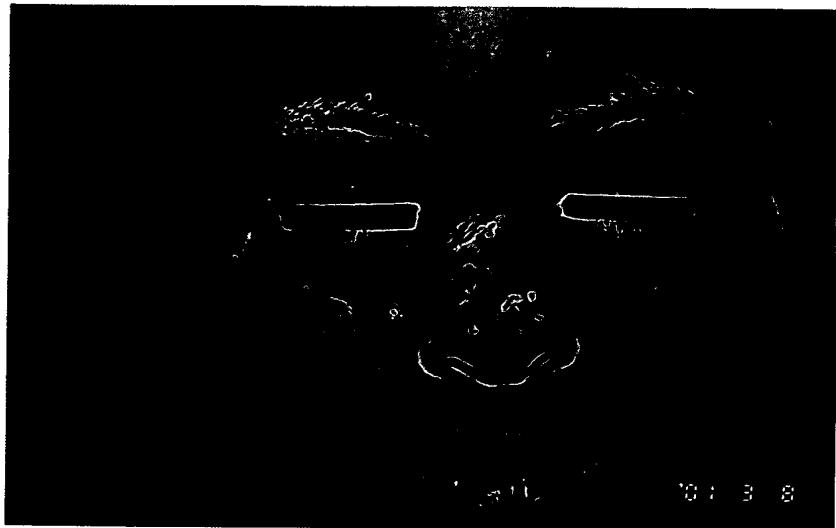


(B)

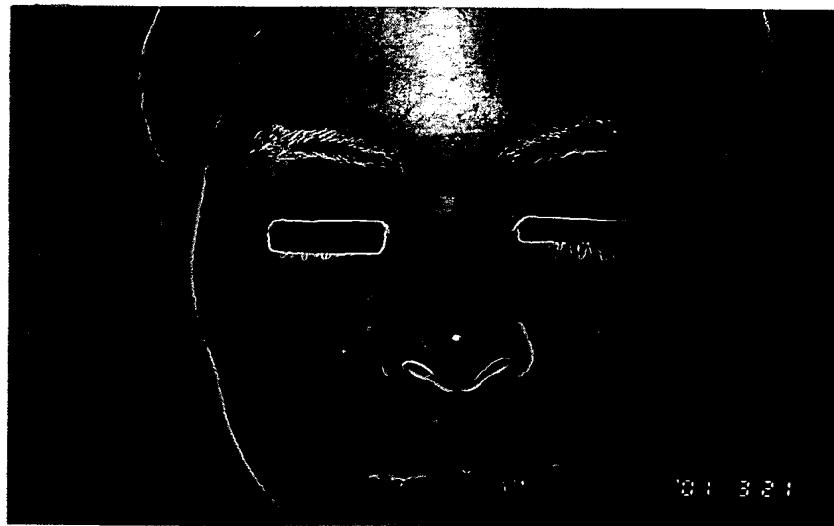
Replacement Sheet

FIG.2

(A)



(B)



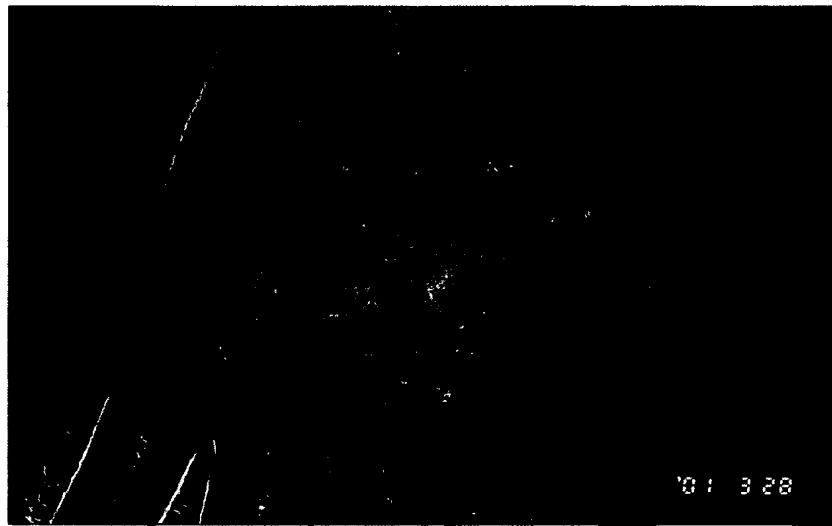
Replacement Sheet

FIG.3

(A)



(B)



Replacement Sheet

FIG.4

(A)



(B)



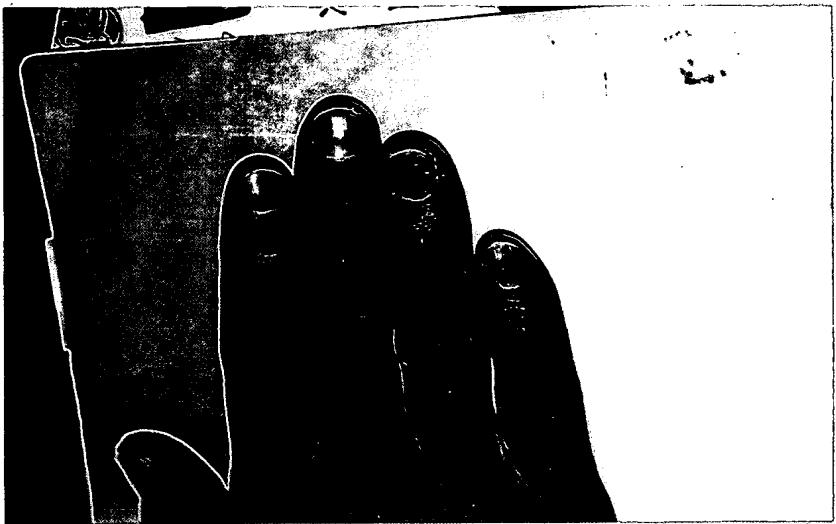
Replacement Sheet

FIG.5

(A)



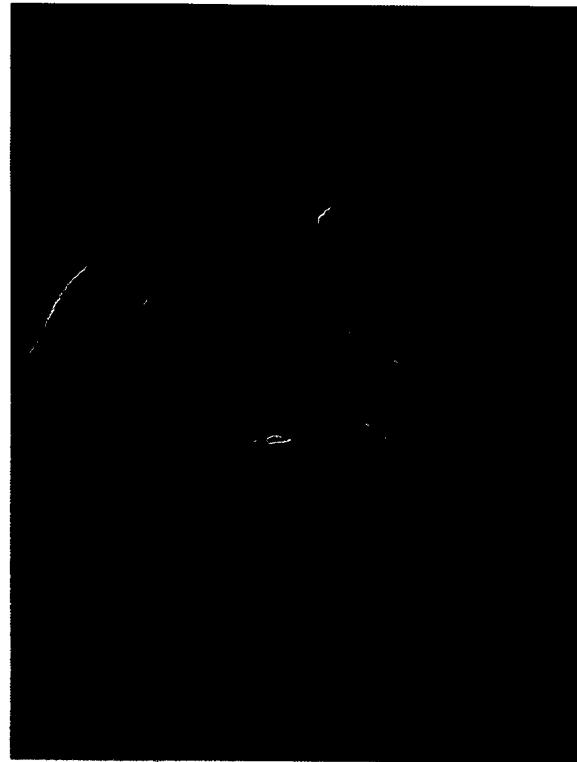
(B)



Replacement Sheet

FIG.6

(A)



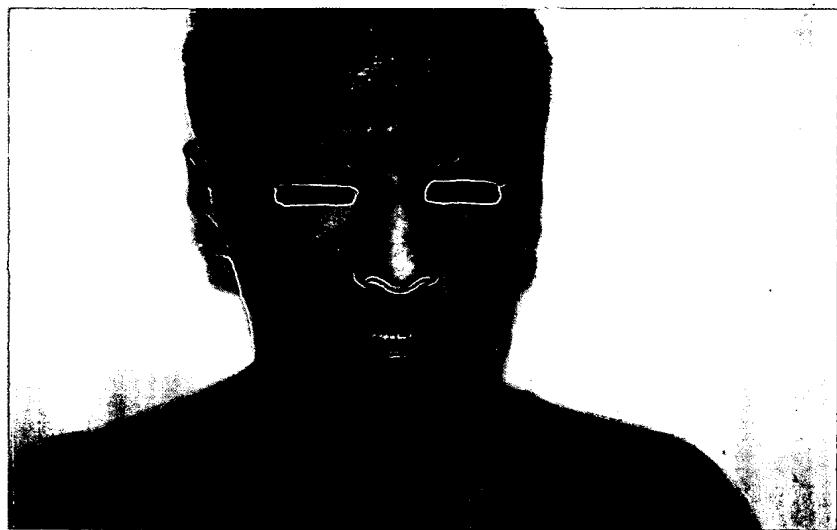
(B)



Replacement Sheet

FIG.7

(A)



(B)

